

Case: In re Wanda L. Merkin (10-00164-LT7)

Hearing Date/Time: March 9, 2010 at 11:00 a.m.

Tentative:

Motion for Relief from Stay, RS # DRP-1

Hear. While stay relief currently is appropriate under section 362(d)(2) given the chapter 7 status of this case, the Debtor's conversion to chapter 13 could be operative within days. In a chapter 13, relief from stay would be appropriate under section 362(d)(1) unless payments commence. Here Debtor offers to recommence regular payments and perhaps to take other steps pursuant to an APO. The Court will hear this matter if the parties cannot reach agreement and may deny immediate termination of the stay conditional on prompt conversion and an appropriate APO.